

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Marvin Myers,

Plaintiff,

-vs-

Annette Chambers-Smith, Director,  
Ohio Department of Rehabilitation and  
Correction,

Defendant.

: Case No. 2:21-cv-5191

Judge Sarah D. Morrison  
Magistrate Judge Vascura

:

**ORDER**

This matter is before the Court upon consideration of a Report and Recommendation (R&R) issued by the Magistrate Judge on December 28, 2021. (No. 7). In that filing, the Magistrate Judge recommended that Plaintiff Marvin Myers's action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The time for filing objections has passed, and no objections have been filed. For the reasons set forth in the R&R, the Court hereby **ADOPTS** the R&R (No. 7) and **DISMISSES** Plaintiff's Complaint **WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

/s/ Sarah D. Morrison  
**SARAH D. MORRISON**  
**UNITED STATES DISTRICT JUDGE**